UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,081	08/28/2001	Dmitriy V. Yepishin	CLIC1P020	6172

			EXAMINER
28875	7590	02/24/2005	DUONG, OANH L

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ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/942,081	YEPISHIN ET AL.
	Examiner	Art Unit	
	Oanh L. Duong	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 September 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claims 1-32 are presented for examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1.   Claims 9 and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims are directed to non-statutory subject matter when claimed as descriptive material per se.

Claim Objections

2.   Claims 1 and 11 are objected to because of the following informalities: "the computer" is lack of antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-6, 8-16 and 18-23 rejected under 35 U.S.C. 102(e) as being anticipated

by Wang et al. (Wang) (US 2002/0035579 A1).

Regarding claim 1, Wang teaches a method for user agent operation comprising:

(a)   accessing a network site utilizing a network (pages 3-4 paragraph 51);

(b)   simulating user action for navigating the network site based on client

specification (page 5, paragraphs 62- 63);

(c)   receiving a web page from the site (page 3 paragraphs 48);

(d)   assigning identifiers to elements of the web page (page 4 paragraph 56);

(e)   rendering the web page for further processing (i.e., then transforms the

source material into the appropriate format, page 3 paragraph 48);

(f)   rendering dynamic content of the web page (page 5 paragraph 61); and

(g)   returning the rendered web page to the client in a markup language

(pages 1-2 paragraph 9 and page 6 paragraph 72).

Regarding claim 2, Wang teaches simulating a user interaction for navigating

from the web page (page 5 paragraph 62).

Regarding claim 3, Wang teaches navigating from the web page includes at least

one of selecting links on a web page, submitting forms, and firing scripting event (page

5 paragraph 62).

Regarding claim 4, Wang teaches the client is informed of changed frames (page 6 paragraph 73).

Regarding claim 5, Wang teaches specified frames are sent to the client (page 7 paragraphs 79-80).

Regarding claim 6, Wang teaches a network interface is provided (Fig. 1).

Regarding claim 8, Wang teaches the rendered content is output to a wireless user device (i.e., Mobile phone, PDA, and Fig. 1 page 1 paragraph 8).

Regarding claim 9, a computer program product for user agent operation of claim 9 has a corresponding method of claim 1; therefore, claim 9 is rejected under the same rationale as applied to claim 1.

Regarding claim 11, a system of claim 10 has a corresponding method of claim 1; therefore, claim 10 is rejected under the same rationale as applied to claim 1.

Regarding claim 1, Wang teaches a method for user agent operation comprising:

(a)   accessing a network site utilizing a network (pages 3-4 paragraph 510;

(b)   simulating user action for navigating the network site based on client specifications (i.e., logging procedures could have been applied, page 5 paragraph 63);

(c)   receiving a web page from the site (page 3 paragraph 48);

(d)   assigning identifiers to elements of the web page (page 4 paragraph 56);

(e)   rendering the web page for further processing (page 3 paragraph 48);

(f)   rendering dynamic content of the web page (page 5 paragraph 61); and

(g)   returning the rendered web page to the client in a markup language (pages 1-2 paragraph 9 and page 6 paragraph 72);

wherein the client performs further processing (page 7 page 7 paragraphs 77-78).

Regarding claim 12, Wang teaches navigating from the web page (page 5 paragraph 62).

Regarding claim 13, Wang teaches navigating from the web page includes at least one of selecting links on a web page, submitting forms, and firing scripting event (page 5 paragraph 62).

Regarding claim 14, Wang teaches the client is informed of changed frames (page 6 paragraph 73).

Regarding claim 15, Wang teaches specified frames are sent to the client (page 7 paragraphs 79-80).

Regarding claim 16, Wang teaches a network interface is provided (Fig. 1).

Regarding claim 18, Wang teaches the rendered content is output to a wireless user device (i.e., Mobile phone, PDA, Fig. 1 page 1 paragraph 8).

Regarding claim 19, Wang teaches repeating acts (b)-(g) of claim 11 (page 5 paragraph 62).

Regarding claim 20, a computer program product for user agent operation of claim 20 has a corresponding method of claim 11; therefore, claim 20 is rejected under the same rationale as applied to claim 11.

Regarding claim 21, a system of claim 21 has a corresponding method of claim 11; therefore, claim 21 is rejected under the same rationale as applied to claim 11.

Regarding claim 22, Wang teaches a method, comprising:

(a)   accessing a network site utilizing a network (pages 3-4 paragraph 510;

(b)   simulating user action for navigating the network site based on client

specification (i.e., logging procedures could have been applied, page 5 paragraph 63);

(c)   receiving a web page from the site (page 3 paragraph 48);

(d)   assigning identifiers to elements of the web page (page 4 paragraph 56);

(e)   rendering the web page for further processing (i.e., then transforms the

source material into the appropriate format, page 3 paragraph 48);

(f)   rendering dynamic content of the web page (page 5 paragraph 61); and

(g)   returning the rendered web page to the client in a markup language

(pages 1-2 paragraph 9 and page 6 paragraph 72).

(h)   wherein specified frames of the web page are sent to the client (page 7

paragraphs 79-80); and

(i)   navigating from the web page (page 5 paragraph 62);

(j)   wherein navigating from the web page includes at least one of selecting

links on a web page, submitting forms, and firing scripting event (page 5 paragraph 62);

(k)   wherein the client performs further processing (page 7 page 7 paragraphs

77-78);

(l)   wherein the client is informed of changed frames (page 6 paragraph 73);

(m)   the rendered content is output to a wireless user device (i.e., Mobile

phone, PDA, Fig. 1 page 1 paragraph 8).

Regarding claim 23, Wang teaches repeating acts (b)-(g) of claim 22 (page 5

paragraph 62).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Wang in view of Balasubramaniam et al. (Balasubramaniam) (US 6,477,550 B1).

Regarding claims 7 and 17, Wang does not teach COM interface.

Balasubramaniam, in the same field of endeavor, teach COM interface (col. 5

lines 55-67). It would have been obvious to one having ordinary skill in the art to have

utilized COM interface of Balasubramaniam with operation of Wang because such COM

interface enables any programming-language to be executed in the existing platform,

thereby increasing flexibility of the system.

Response to Arguments

5.   Applicant's arguments filed 09/23/2004 have been fully considered but they are

not persuasive.

In response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., "the element that user interaction be simulated for navigating a network site, such

as *traversing several pages on the sites*" "*system actually* can perform navigation

functions") are not recited in the rejected claim(s). Although the claims are interpreted

in light of the specification, limitations from the specification are not read into the claims.

See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Oanh L. Duong whose telephone number is (571) 272-

3983. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

O.D
February 21, 2005

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER